

553 new

## COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C §§ 1983

Name WHITE JOHN N.  
 (Last) (First) (Initial)

Prisoner Number P-71837

Institutional Address SQRC GYM 338  
SAN QUENTIN, CA. 94964

FILED

JAN 31 2008

RICHARD W. WILKING  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

JOHN WHITE 1 THROUGH 52  
 INMATES  
 (Enter the full name of plaintiff in this action.)

CV 08

0760

vs.

Case No. \_\_\_\_\_  
 (To be provided by the clerk of court)

DIRECTOR OF CORRECTIONS  
TILLMAN ET ALII  
DOES 1 - 100

COMPLAINT UNDER THE  
 CIVIL RIGHTS ACT,  
 42 U.S.C §§ 1983

PJH

(Enter the full name of the defendant(s) in this action))

E-filing

(PR)

[All questions on this complaint form must be answered in order for your action to proceed..]

I. Exhaustion of Administrative Remedies

[Note: You must exhaust your administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.]

A. Place of present confinement SQRC

B. Is there a grievance procedure in this institution?

YES ☒ NO ( )

C. Did you present the facts in your complaint for review through the grievance procedure?

YES ☒ NO ( )

D. If your answer is YES, list the appeal number and the date and result of the

08-460 PJH

1 appeal at each level of review. If you did not pursue a certain level of appeal,  
2 explain why.

3 1. Informal appeal NO RESPONSE

4  
5 2. First

6 formal level NO RESPONSE

7  
8  
9 3. Second formal level N/A

10  
11 4 Third

12 formal level N/A

13  
14  
15 E. Is the last level to which you appealed the highest level of appeal available to  
16 you?

17 YES ( ) NO ☒

18 F. If you did not present your claim for review through the grievance procedure,  
19 explain why. TRIED FAILED TO RESPOND

20 DEFAULT

21  
22 II. Parties

23 A. Write your name and your present address. Do the same for additional plaintiffs,  
24 if any.

25 JOHN WHITE SQRC, GYM 338 SAN QUENTIN, CA 94964

26 SEE ATTACHED 1 THROUGH 8 PGS. INMATES 1 THROUGH 52

27  
28 B. Write the full name of each defendant, his or her official position, and his or her

place of employment.

CDC DIRECTOR OF CORRECTIONS, TILLMAN  
 SAN QUENTIN WARDEN AYERS  
 DOES 1 THROUGH 100

III.

#### Statement of Claim

State here as briefly as possible the facts of your case. Be sure to describe how each defendant is involved and to include dates, when possible. Do not give any legal arguments or cite any cases or statutes. If you have more than one claim, each claim should be set forth in a separate numbered paragraph.

COUNT 1: C.D.C.R. DIRECTOR TILLMAN, SQRC WARDEN  
 AYERS, REFUSES TO COMPLY WITH THE FIRE MARSHALLS  
 ORDERS TO REDUCE OVERCROWDING IN THE AISLES BY  
 REMOVING (50) FIFTY BEDS FROM THE GYM. TWO (2) DAYS  
 AFTER THE MARSHALLS INSPECTION ALL FIFTY (50) BEDS  
 WERE RETURNED INTO THE GYM RESTORING THE OVER-  
 CROWDED CONDITIONS.

COUNT 2: THIS OVERCROWDED CONDITION CREATES A RATIO  
 OF THIRTYFIVE (35) INMATES PER WORKING TOILET. BECAUSE  
 OF OVERUSE AND AGE OF THE PLUMBING THERE IS CONSTANT  
 FLOODING OF URINE AND FECES TRACKED THROUGHOUT THE  
 GYM RESULTING IN UNSANITARY CONDITIONS.

(SEE ATTACHED)

#### IV. Relief

Your complaint cannot go forward unless you request specific relief. State briefly exactly what you want the court to do for you. Make no legal arguments; cite no cases or statutes.

COUNT 3: BECAUSE OF THE EXPOSURE TO URINE AND FECES THERE ARE CONSISTANTLY HIGH CASES OF STAPH, HEPATITUS, AND OTHER INFECTIONS.

COUNT 4: SAN QUENTINS GYMNASIUM IS CURRENTLY UNHEATED AND HAS BEEN FOR AT LEAST SIX (6) MONTHS,

WARDEN AYERS HAS CORRECTIONAL OFFICERS TURN ON THE EMERGENCY BLOWERS TO VENT IN COLD AIR INTO THE UNHEATED GYM. THIS IS DONE AS PUNISHMENT. SOMETIMES IT GETS SO COLD YOU CAN SEE YOUR BREATH IN THE MORNING, THIS FORM OF PUNISHMENT GOES ON FOR PROLONGED PERIODS OF TIME, OFTEN DAYS. STAFF WEARS FULL WINTER WEAR AND USES SPACE HEATERS TO KEEP THEIR FEET WARM.

COUNT 5: DIRECTOR TILLMAN HAS A POLICY OF RACIAL BIAS. THIS POLICY IS USED AS CROWD CONTROL, TO CREATE OVERTIME AND HAZARD PAY. IE. BECAUSE OF OVERCROWDING AND HIGH STRESS LEVELS FIGHTS OFTEN OCCUR. ON JAN. 23, 2008, THERE WAS AN INCIDENT THAT INVOLVED ALL BLACK INMATES, RESULTING IN ONE(1) BLACK INMATE BEING SEVERELY BEATEN BY AT LEAST FIVE(5) OTHER BLACK INMATES SEVERAL TIMES OVER A TWO(2) HOUR PERIOD.

WHEN STAFF FINALLY REMOVED THE BEATEN INMATE, NORMAL PROGRAM WAS RESUMED WITHOUT DELAY. THE FOLLOWING DAY STAFF PLACED A KNOWN PROTECTIVE CUSTODY WHITE INMATE INTO THE GENERAL POPULATION OF THE GYM, RESULTING IN AN UNKNOWN ASSAILANT ATTACKING THE WHITE INMATE. STAFF IMMEDIATELY DECLARED AN EMERGENCY, BROUGHT IN A GUNNER, AND LOCKED DOWN ONLY THE WHITE INMATES, WITH LOSS OF ALL PRIVILEGES

DENYING THE WHITE INMATES THE ABILITY TO PURCHASE HYGIENE AND COSMETICS. STAFF OFTEN USES ONE(1) RACE AGAINST THE OTHER TO INSTIGATE FIGHTS AND PREJUDICE TO KEEP ONE(1) RACE OR THE OTHER LOCKED DOWN FOR CROWD CONTROL REASONS. DIRECTOR TILLMAN, AND C.D.C.R. HAS TWO(2) POLICIES, ONE(1) FOR WHITES, AND ONE(1) FOR ALL OTHER RACES.

1 MONETARY DAMAGES  
2 PUNITIVE DAMAGES, INJUNCTIVE RELIEF,  
3 ANY OTHER RELIEF THE COURT ~~DEEMS~~ FIT  
4  
5  
6

7 I declare under penalty of perjury that the foregoing is true and correct.

8  
9 Signed this 27 day of JANUARY, 20 08

10  
11 

12 (Plaintiff's signature)

JOHN WHITE

13 James Galt 1-27-08

14 Thomas Elzykowski 1-27-08

15 Tom Fodor 1-27-08

16 Jay Bozay  
17 Marco Demorette 1/27/08

18 Auburn R Watson 1-27-08

19 Aaron Willingworth 1-27-08

20 John Richard Inadett 1-27-08

21 Jory Schlegel 1-27-08

22 Matthew E Baerle 1-27-08

23 Evey Lee Boggs 1-27-08

24 Sherry Hill 1-27-08

25  
26  
27  1-27-08

28 Richard S Channey 1-27-08



Chris Lewis JAN 27-08  
 Scotti Camp Jan 27-2K8  
 Roy Raby JAN. 27, 08  
 John S. Smy JAN 27 2008  
 Rod Cantello JAN 27, 2008  
 Keni Foster Jan 27, 2008  
 John Watten January 27 '2008  
 K. Watten  
 Allen W. 1/27/08  
 1/27/08  
 James Castellano 1/27/08  
 Matt Lato 1-27-08  
 Daniel Eggen 1-27-08  
 Jon Cunningham 1-27-08  
 James Martin 1-27-08  
 Dennis R. King 1-27-08  
 Brian Mello 1-27-08  
 Tommy Seofand 1-27-08  
 T. Russell T-39068 1-27-08  
 F. Vazey T-51447 1-27-08  
 W. G. F17193 1/27/08  
 Schaf T65334 1/27/08  
 Ronald J. Per F44493 1/27/08

John Smith 1/27/08  
 Paul Lipson 1-27-08  
 Paul Allen 1-27-08  
 Robert Williams 1-27-08  
 Charles Heink 1-27-08  
 Brian Vayn V913341-27-08  
 Gary Valentini V70854 1-27-08  
 V122661 1/27/01  
 F76123 1-27-08  
 Paul Perrentel T74537 1-27-08  
 David King V59224 1-27-08  
 RdS V41452 01/27/08  
 Dennis G. Hopkins F22518-01/27/08

DAVID KING V59224  
 90 2526 "L" STREET #309  
 SACRAMENTO, CA. 95816

NOV 1 '07 - DEC '07  
 JAN. 22 - PRESENT

ANATOLIO P. KABANCIW JAN. 08 - 31<sup>st</sup>  
 600 MORGAN ST.  
 SANTA ROSA CA 95403

KC W. Whitten V67035 Jan, 16, 08 / 1-24/08  
 29 Alta Dr. petaluma, ca. 94954

Zachary Scott Roe V-84072 Nov, 19, 08 (JAN, 26, 08)  
 300 STONY POINT RD. #196 SANTA ROSA, CA. 95401

Keith Steimle F73506 1-5-08 - 1-26-08  
 87 Spencer St. Delta, MO. 63744

ROD CANTRELL 12-13-07 ~~01-27-08~~  
 P96518 512 SEAGULL DR SUISUN CITY CA  
 94585

ALBURN WILSON T-91226 11/15/07 1/27/08  
 1903 LINCOLN WY  
 S.F., CA 94122

Shane Hall #P68891 Dec 28 2007 till 1/27/08  
 520 Lisbon St.  
 San Francisco, Ca. 94112



2-3-07 / 4-18-07 - 5-20-07 / 7-2-07 - 9-14-07 / 1-26-08



JOHN WHITE P-71837

7960 B SOQUEL RD # 229 - APTOS, CA. 95003

1127 BROOKS AVE ROSENBERG, TX 77471

1/22/08

1/26/08

James Cobb JAMES COBB VO1005  
670-B GARCIA AVE PITTSBURG CA 94565

9/26/07

1/26/08

Brend Castillo - BRIAN CASTILLO VO7359  
2028 EVANIS RD. #4 CERES, CA. 95307

1/2/07 - 1/26/08

Dennis Hopkins - Dennis C. Hopkins F22518  
PO Box 253 Columbus Junction, IOWA 52753

11-08

1/26-08

Ronald J. Peer RONALD J. PEER F44493  
80. South Market St. San Jose Ca. 95110

2/21/07

1/26/08

Tom Foakes F33553 Tom Foakes  
670-B SOQUEL RD # 229 APTOS, CA. 95003Christopher Schaf T65334 Chris Schaf  
6595 Meadowland Cir  
Erie, Pa. 16509 C/O Mary Nelson

1/22/08 - 1/26/08

Aaron Killingsworth T87344 Aaron Killingsworth  
357 Ellis St  
San Francisco CA  
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1/26/08

9/13/07

Tommy Lee Boggs  
~~5005~~ 5005 Shore Drive Asheville ALA. 35953

~~DAVID W. HOOPER~~  
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DAVID MOSTLER T-43967

1-23-08 / 1-26-08

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~~HOOPA~~ HOOPA, CA. 95546

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1/3/08 - 1/26/08

4053 PETALUMA BLVD N

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DAVID ~~MAUPIN~~ MAUPIN T-08117

12/3/07 - 1/26/08

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THOMAS PURCELL T-39668

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1-15-08 - 1-26-08

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Benicia, Ca. 94510

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1/10/08 - 1/26/08

BRIAN MELLO  
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95518

P-38195

9/08 - Present  
1-26-08

Daniel Egger  
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1-3-08 - 1-26-08

Nathan LaCount  
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T-76099

12-2-07 / 1-26-08

Dennis Kanen  
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Red Bluff CA.  
96080

F-11366

1-7-08 / 1-26-08

Richard Leroy Chauncey  
CSO# F24456 10/30/07 1/27/08  
890 HAYES ST SF. CA 94117

ERIC COPELAND T-70368

10.07/1-26.08

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11/26/08

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THOMAS GRZYMSKI #V36131

1112 E. STREET APT # B2

EUREKA, CA 95501

Jason Losey F-60464

Jan-3-2008 - Jan 28-2008

2333 Heiser Ln.

Eureka CA. 95501

Gary Valentine V-70854

12/27/07  
1/26/08

23636 Hobag Rd

Corning CA, 96021

Jason Q Miller F-01109  
 939 Ford St  
 Fieldbrook, CA 95519

T-13958 FRANCIS B DOORISH

07 07 07 08  
 8-20 / 9-24 / -11-21 / 1-30 /

10214 NE. 24<sup>th</sup>

BELLEVUE WA 98004

1/20/08 - 1/26/08 DAVID Patton F26708  
 1345 CLARMONT ST  
 SAN Mateo 94402

V-61094 <sup>1/2/08 - 1-26-08</sup> SMITH John DO BOX 234 Magallie Co  
 95950

V-50452 <sup>12-10-07 / 1-26-08</sup> David Ruhl 628 Wendy way Paradise CA

F-76017 <sup>9/25/07 - 1/26/08</sup> Wm Conkell PO BOX 3207 EUREKA CA 95501

S. Cox SCOTT CAYA V-07355 12-24-07 / 1-26-08  
 88 PERRY ST # 646  
 SF CA. 94103

Joaquin VASQUEZ T-51447 12/18/07 1/26/08  
 948 JONES AVE  
 PINOLE CA 94564

MARTIN JAMES P-54455 11-28-07 / 1-26-08  
 3824 JACOBS AVE  
 EUREKA, CA. 95002



97m 83UP  
 JON CUNNINGHAM T-43996 JAN 2-2008 Thru J-26th  
 26095 UNDERWOOD AVE HAYWARD CA, 94544<sup>2008</sup>

JAMES SUNNER P39521 (DEC 27 2007) 1-26-08)  
 525 5TH ST SF CA 94107

Seames Castellblanco V-55519 (11-26-07/1-26-08)  
 1744 University Ave, Berkeley CA 94703

RON FREEMAN V. 41452 9/25/07 - 1-26-08  
 PO Box 542  
 STENSON BEACH, CA. 94970

Christopher Deufemia V-82019 1-3-08/1-26-08  
 219 Campbell ave.  
 Vallejo Ca, 94590

JOHN SLY T-77541 10-30-07 - 1-26-08  
 740 TRAVIS BLVD  
 FAIRFIELD CA 94533

MARCO SIMONETTI V. 94009 9/30/07 - 1-26/08  
 875 GENEVA AVE  
 SF, CA 94112

RICHARD HAHN T-21085 12-26-07/1-26-08  
 1411 8TH ST APT A  
 EUREKA, CA. 95501

Anthony Pratt SR T-88008  
PO Box 175

Huopa Ca 95546

~~So days So for~~

12/6/07 - 1-26-08

JOSE VALENCIA V-05989

1/5/08 - 1/26/08

1324 S ALMADEN AVE

SAN JOSE, CA ~~95110~~ 95110

GARY BOGGS F-18878

1-11-08 / 1-26-08

745 A ST #5

TRACY, CA. 95376

<sup>CDC#</sup>  
Tommy Scotland K-93478

11-27-07-1-26-08

P.O. Box 320

Alamo, Ca. 94507

IVAN O'DAY - F17193

NOV-28-08<sup>TO</sup> JAN-26-08

1851 INDIAN VALLEY ROAD

NOVATO, CA, 94947

M. Baumer - J96554

PO #634 Eureka, ca DEC 27 TO NOW JAN-26/08

CHRIS LOUX F-63070 Dec 7 to 1-26-08

17 Lombardi CT

Petaluma, CA 94954

Brian Vaughan 139339 Jan 10 - Present  
95 Mosswood Dr  
Sausalito CA 94587

MICHAEL HAYES V12861 JAN 24 TO 29  
2008  
PRESENT.

900 HOPPER ST  
PETALUMA, CA. 94952

PAUL PIMENTEL T-74537  
2827 PINE CREEK CT  
CAMERON PARK, CA. 95682

1-22-08  
1-27-08

JOHN WHITE P-71837  
SQSP/RC  
SAN QUENTIN, CA 94964

08-760  
PJD

\*URGENT\*



RECEIVED

JAN 20 2008  
RICHARD W. WIERING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

*[Signature]*

c/o COURT CLERK

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

450 GOLDEN GATE AVE

SAN FRANCISCO, CA 94102

Legal Mail

9410233661 0004

